



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMAN MACK and COUNCILWOMAN McDONALD (Sitting in for COUNCILMAN WEEKLY)

Also Present: CITY ATTORNEY BRAD JERBIC, DEPUTY CITY MANAGER DOUG SELBY, CHIEF DEPUTY CITY ATTORNEY VAL STEED, DIRECTOR OF BUILDING PAUL WILKINS and DEPUTY CITY CLERK DEENY ARAUJO

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:05)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-49 – Requires persons who work as escorts to obtain a health card and to undergo initial and periodic medical examinations. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will require persons who work as escorts to obtain a health card and to undergo initial and periodic medical examinations.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-49

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill No. 2001-49 be forwarded to the Full Council with no recommendation – COUNCILWOMAN McDONALD concurred.

MINUTES:

COUNCILWOMAN McDONALD declared the Public Hearing open.

CITY ATTORNEY BRAD JERBIC gave a brief summation of the proposed bill requested by MAYOR GOODMAN dealing with escort services and outcall entertainment. During a recent City Council Meeting, discussion focused on a probable association of prostitution with outcall entertainment and escort services. Following testimony, MAYOR GOODMAN requested some type of legislation requiring individuals who are escorts or outcall entertainers to obtain a health card certified and issued by the Clark County Health District.

CITY COUNCIL MEETING OF MAY 29, 2001

City Attorney

Item 1 – Bill No. 2001-49

MINUTES – Continued:

CITY ATTORNEY JERBIC stated that in discussions with representatives of the Health District, it was determined that the health cards do not provide any kind of protection against the types of diseases one might contract as a result of having sex with an individual working for one of these services. He explained that the bill would require the entertainer to pay for a medical examination once a month and provide the information to the Clark County Health District. Should an entertainer test positive for any of the listed sexually-transmitted diseases, no health card would be issued.

Testimony was given by RICHARD SORRANO, President of SOC, Inc. He presented an Opinion Memorandum from his attorney stating that the ordinance in its present form violates the constitutional rights of persons subjected to the bill proposal. Addressing his comments to the Recommending Committee, MR. SORRANO further stated that passage of the bill might result in individual implications. He stated his purpose for presenting the Opinion Memorandum was to allow Council members to review before hand the list of potential concerns prior to any recommendation to forward the bill to City Council. MR. SORRANO stated that his organization licenses outcall entertainers and therefore was representing only Bill 2001-50.

ATTORNEY STEVEN MINAGIL represented the Clark County Health District. He explained that on behalf of the Health District, he was there to clarify various issues and to convey the thoughts and concerns of the Health District management and staff. He stated that the ordinance as proposed requires the issuance of a valid health card; however, he explained that the health card program is food-handler based consisting of a Hepatitis-A shot and a food handler course. The Health District felt that more than likely because the entertainers and/or escorts would not be members of the food-handler industry, the program was not applicable. ATTORNEY MINAGIL stated that this program does not protect the public against any sexually transmitted diseases.

The Health District was also apprehensive about the medical examination for transmitted diseases because the test is only valid for and on the date of the examination. He explained that in areas where prostitution is legal and brothels are licensed, individuals are required to be examined but in essence are quarantined from the time they are tested until they have any contact with the public. That protection is not available under the proposed City ordinance. The public would have no protection unless their business transactions were conducted on the exact day of the test.

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CITY COUNCIL MEETING OF MAY 29, 2001

City Attorney

Item 1 – Bill No. 2001-49

MINUTES – Continued:

Another area of concern was the potential burden on the Health District to comply with the obligation imposed by the proposed bill. In a random survey of various escort or outcall services, it was discovered that there exists over 336 different listings in the telephone directory. ATTORNEY MINAGIL mentioned that if each of those entities employed at least 15 persons, the number of individuals requiring medical testing would total at least 4,500 per month. This would put an enormous burden on the Health District and to accommodate such a large demand would entail added equipment, staff, space, a separate shift and funding to provide this program

In addition, ATTORNEY MINAGIL questioned that if an escort or outcall entertainer engaged without a health card and was caught, would the City be in a position to prosecute for not having a card versus prosecuting for an illegal act of prostitution. Lastly, he mentioned that for the visitors to our City, it would give them a false sense of security and could be viewed as safe or acceptable and not illegal.

COUNCILMAN MACK preferred to have Council members review the Opinion Memorandum and carefully determine what impact this would have. He stated that if prostitution is illegal, why mandate a health card.

COUNCILWOMAN McDONALD expressed her concern relating to the issues addressed by the Clark County Health District official. She alluded to a related matter in her ward, but the emphasis was on location and the applicable uses in residential areas. She stated this proposal would be an infringement on individual rights and would result in the assumption that escort or outcall services equal prostitution. With that in mind, having a health card would be an implication that it is all right as long as one faithfully complies with the bill proposal. On a different note, passage of this bill could penalize an individual who has never broken a law, who has contracted HIV through blood transfusion and subsequently is denied a health card. This goes along the lines of racial profiling or pre-determining fault simply based on meeting criteria within a particular category.

COUNCILWOMAN McDONALD stated that if prostitution exists then the focus should be on purging it from our society, and if escort services or outcall entertainment services contribute to its existence, the occupations should be banned from Nevada.

There was no further discussion.

COUNCILWOMAN McDONALD declared the Public Hearing closed.

(4:03 – 4:05)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-50 – Requires persons who work as outcall entertainers to obtain a health card and to undergo initial and periodic medical examinations. Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will require persons who work as outcall entertainers to obtain a health card and to undergo initial and periodic medical examinations.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-50

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill No. 2001-50 be forwarded to the Full Council with no recommendation – COUNCILWOMAN McDONALD concurred.

MINUTES:

COUNCILWOMAN McDONALD declared the Public Hearing open.

There was no further discussion.

COUNCILWOMAN McDONALD declared the Public Hearing closed.

NOTE: All discussion for Item No. 1 [Bill No. 2001-49] and Item No. 2 [Bill No. 2001-50] took place under Item No. 1 [Bill No. 2001-49].

(4:03 - 4:05)

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-47 – Annexation No. A-0003-01(A) – Property Location: On the east side of Juliano Road approximately 330 feet south of Hickam Avenue; Petitioned By: Paul and Yvonne Milko Revocable Living Trust; Acreage: 2.59 acres; Zoned: R-E (County Zoning) U (DR) (City Equivalent); Sponsored by: Councilman Larry Brown

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the east side of Juliano Road approximately 330 feet south of Hickam Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 29, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-47 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill No. 2001-47 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILWOMAN McDONALD concurred.

MINUTES:

COUNCILWOMAN McDONALD declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED declared this bill to be in order.

CITY COUNCIL MEETING OF MAY 29, 2001
City Attorney
Item 3 – Bill No. 2001-47

MINUTES – Continued:

There was no further discussion.

COUNCILWOMAN McDONALD declared the Public Hearing closed.

(4:24 – 4:25)

1-708

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-48 – Annexation No. A-0007-01(A) – Property Location: On the west side of Mustang Street approximately 300 feet north of Cheyenne Avenue; Petitioned By: Karl and Susan Larsen Family Trust; Acreage: 0.64 acres; Zoned: R-E (County Zoning), R-E (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

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No Impact

Amount:

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the west side of Mustang Street approximately 300 feet north of Cheyenne Avenue. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 29, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action

BACKUP DOCUMENTATION:

Bill No. 2001-48 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill No. 2001-43 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILWOMAN McDONALD concurred.

MINUTES:

COUNCILWOMAN McDONALD declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED declared this bill to be in order.

CITY COUNCIL MEETING OF MAY 29, 2001
City Attorney
Item 4 – Bill No. 2001-48

MINUTES – Continued:

There was no further discussion.

COUNCILWOMAN McDONALD declared the Public Hearing closed.

(4:25 – 4:30)

1-740

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-51 – Amends the City's Uniform Administrative Code to increase the construction valuation basis for building permit fees. Proposed by: Paul Wilkins, Director of Building and Safety

Fiscal Impact

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No Impact

Amount: *

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Budget Funds Available

Dept./Division:

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Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will amend the City's Uniform Administrative Code to increase the construction valuation basis for building permit fees in order to more accurately reflect the actual costs of construction. The new basis will be more in line with that of other area jurisdictions. Input regarding the increase has been solicited from representatives of homebuilders, contractors and taxpayer groups. Based upon the input received, no formal business impact statement has been deemed necessary. The bill also makes other minor technical changes.

* Approximate 25% increase in permit fee revenue.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-51 and Incorporated Documents

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill No. 2001-43 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILWOMAN McDONALD concurred.

MINUTES:

COUNCILWOMAN McDONALD declared the Public Hearing open.

City of Las Vegas

CITY COUNCIL MEETING OF MAY 29, 2001

City Attorney

Item 5 – Bill No. 2001-51

MINUTES – Continued:

PAUL WILKINS, Director of Building and Planning, explained that this bill allows for the increase from \$23.00 a square foot to \$46.00 a square for the construction valuation basis for building permit fees. He conferred with contractors, plumbers and the Home Builders Association and there was no opposition to the raise in fees.

CHIEF DEPUTY CITY ATTORNEY VAL STEED clarified that of the two charts outlining the new fees, the first chart is correct and the next should be deleted.

COUNCILMAN MACK asked if this increase was all right with the Home Builders Association and if in line with other municipalities. MR. WILKINS answered affirmatively to both questions.

There was no further discussion.

COUNCILWOMAN McDONALD declared the Public Hearing closed.

(4:26 – 4:30)

1-766



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 29, 2001

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None.

(4:30)

1-865

MEETING ADJOURNED AT 4:30 P.M. (1-867)

Respectfully submitted:_____

DEENY ARAUJO

June 1, 2001